

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

**WALLACE A. GARDNER,  
ADC #110784**

**PLAINTIFF**

**v. No. 5:13-cv-216-DPM-BD**


**WILLIAM STRAUGHN, Warden, Maximum  
Security Unit, ADC; STEVE OUTLAW, Assistant  
Warden, Maximum Security Unit, ADC; BARBARA  
MATHEWS-GARDNER, Lieutenant, Maximum  
Security Unit, ADC; RICHARD CLARK, Sergeant,  
Maximum Security Unit, ADC; WERNETHA LYONS,  
Sergeant, Maximum Security Unit, ADC; ANGELA  
KENNEDY, CO-II, Maximum Security Unit, ADC;  
NICOLA KELLY, Sergeant, Maximum Security Unit,  
ADC; LANCE L. HALL, Lieutenant, Maximum Security  
Unit, ADC; KIETH CROCKET, Sergeant, Maximum  
Security Unit, ADC; MICHEAL LOWERY, CO-II,  
Maximum Security Unit, ADC**

**DEFENDANTS**

**ORDER**

Motion to dismiss, No 27, granted. Gardner's claims are dismissed without prejudice. His motion to compel, No 24, is denied as moot.

So Ordered.

  
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D.P. Marshall Jr.  
United States District Judge

12 December 2013